

## STATE OF WASHINGTON PUBLIC DISCLOSURE COMMISSION

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October 15, 2009

WAYNE COREY 22218 5<sup>TH</sup> AVE S STE 101 DES MOINES WA 98198

Subject: Complaint Filed Against the 2009 Susan White Campaign -

PDC Case No. 10-013

Dear Mr. Corey:

The Public Disclosure Commission (PDC) staff has completed its investigation of your complaint received August 5, 2009, alleging that the 2009 reelection campaign of Susan White for Des Moines City Council failed to file the C-4 report of contributions and expenditures due July 28, 2009. PDC staff reviewed the allegation in light of the following statutes:

RCW 42.17.080 and 090 require candidates to file timely, accurate reports of contributions and expenditures, including in-kind contributions. Under the full reporting option, until five months before the general election, C-4 reports are required monthly when contributions or expenditures exceed \$200 since the last report. C-4 reports are also required 21 and 7 days before each election, and in the month following the election, regardless of the level of activity. Contribution deposits made during this same time period must be disclosed on the Monday following the date of deposit.

We reviewed your complaint, Ms. White's response to the complaint, and C-3 and C-4 reports filed by the campaign. As a result of our review, we found:

- On April 20, 2009, Ms. White filed a Candidate Registration (PDC Form C-1) as a 2009 candidate for reelection to the Des Moines City Council. She selected the Full Reporting option, indicating that her campaign would file the frequent, detailed campaign reports required by law.
- The White campaign filed its 21-day pre-primary election C-4 report for the period June 1 through July 27, 2009 15 days late on August 12, 2009.
   The campaign also filed its 7-day pre-primary C-4 report one day late on August 12, 2009.

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- The 21-day pre-primary C-4 report included \$3,225 in contributions received and \$586 in expenditures made. The 7-day pre-primary C-4 report showed \$585 in contributions and no expenditures. All contributions were timely reported on C-3 reports.
- Ms. White stated that she simply forgot to upload and send the C-4 reports to the PDC. She noted that her husband has been fighting a serious illness and her daughter recently gave birth to twin boys. Ms. White said both of these situations have been stressful and have contributed to her failure to remember the filing deadlines. She stated that in the future, reports will be filed in a timely manner.

The 21-day pre-primary C-4 report was filed 15 days late, and the 7-day preprimary C-4 report, one day late. Ms. White is an experienced candidate, with the 2009 campaign being her third campaign for Des Moines City Council, and she will be cautioned to ensure that future C-4 reports are timely filed.

Although the two C-4 reports were filed late, both were filed before the primary election, and the \$3,810 in contributions received were timely disclosed on C-3 reports. Expenditures listed on the two late-filed reports totaled \$586. Ms. White does not have a history of late reporting during her three prior campaigns. For these reasons, formal enforcement action is not warranted in this instance.

After a careful review of the alleged violations and relevant facts, we have concluded our investigation and, with the concurrence of the Chair of the Public Disclosure Commission, I am dismissing your complaint against the Susan White Campaign. Ms. White is being notified of this dismissal by separate letter.

Thank you for bringing this matter to our attention. The process relies on citizens monitoring campaign activity to promote full compliance with the law. Your actions will contribute to better public disclosure of important campaign information.

If you have questions, please contact Phil Stutzman, Director of Compliance, at (360) 664-8853, toll-free at 1-877-601-2828 or by e-mail at pstutzman@pdc.wa.gov.

Sincerely,

Vicki Rippie

**Executive Director**